

# EXHIBIT 26

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

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HUNTERS CAPITAL, LLC, et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	No. 20-cv-00983-TSZ
	)	
CITY OF SEATTLE,	)	
	)	
Defendant.	)	

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ZOOM 30(b)6 Deposition Upon Oral Examination

of

SRJ dba CAR TENDER - JOHN McDERMOTT

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DATE: Wednesday, January 19, 2022

REPORTED BY: Mindy L. Suurs, CSR No. 2195

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1           A.    Again, I don't recall.  If you need me to get  
2   that information for you, I can.

3           Q.    Okay.  And then let's see, so did you notify your  
4   landlord of the -- did you notify your landlord that you  
5   were discussing putting an offer on the Shoreline property?

6           A.    We did, but I'm not sure at what point that was.

7           Q.    Okay.  Do you think -- would it have been after  
8   you visited the property?

9           A.    It would have been somewhere in August.

10          Q.    Okay.

11          A.    But again, I don't have that date.  I can  
12   obviously find that information if you need it.

13          Q.    Okay.  And so after you visited the Shoreline  
14   property sometime in June of 2020, did you visit any other  
15   properties?

16          A.    In that year, other than the things that we  
17   discussed, maybe doing a drive-by of something in the SODO  
18   area prior to January, not that I recall.

19          Q.    Okay.  So after -- right, we're after June 2020,  
20   after you saw the Shoreline property, did you look at any  
21   other properties?

22          A.    No.

23          Q.    Okay.  And then so why did you decide not to look  
24   at any other properties after seeing the Shoreline  
25   property?

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1 MR. WEAVER: Objection.

2 A. I think I -- I think I stated pretty clearly we  
3 weren't really under any pressure to move at that point in  
4 time, and I'm not really sure what relevance that has to  
5 anything that we're talking about here, and it's getting a  
6 little frustrating.

7 The whole reason that we moved Car Tender  
8 because -- was because of all the garbage going on in our  
9 city and because our lack of representation and our lack of  
10 ability to be protected and to be treated like normal human  
11 beings, and I'm not sure how any of this stuff -- the only  
12 reason we moved Car Tender was because of the complete  
13 dysfunctionality of the city -- the police department and  
14 the state's ability to protect me as a citizen and to  
15 protect us as a business. And had CHOP not happened, Car  
16 Tender would probably still be in its location on Capitol  
17 Hill functioning, with happy customers, with happy people.  
18 And I'm not really sure how any of -- looking at any other  
19 properties has any relevance to us moving.

20 The reason we moved was to get the hell out of  
21 there, to stop having guns pointed at me, and to stop being  
22 threatened every single day. That is the reason we moved  
23 Car Tender. We had customers that stopped coming to our  
24 business because they were afraid for their lives, afraid  
25 for their property, afraid to come to our business because

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1 of where it was located.

2 Q. Got it. Well, I -- I'm really sorry about what  
3 you went through while you were in CHOP, so I'm just asking  
4 about before the CHOP period, so in 2016 --

5 A. This is part of the CHOP period, June 24th.

6 Q. Oh, yeah, no, so I think you said -- so you said  
7 you didn't look at any other properties in June 2020 once  
8 you looked at the Shoreline property; correct?

9 A. There really wasn't anything else out there that  
10 we were looking at because, if there was something else  
11 that was out there that was going to fit, like I stated  
12 before, we probably would have engaged the process. You  
13 know, we were, again, under no pressure to move our  
14 business at any point in time during those leases. But we  
15 can't stay there forever, and it takes more than a day to  
16 move a business, and we have a responsibility to our  
17 customers, family members, et cetera, that if we're going  
18 to move, to be able to communicate to them that, you know,  
19 you don't just show up one day and we're not there.

20 Q. Right. So you had been looking to move for  
21 several years starting in 2016 --

22 A. Yeah.

23 Q. -- earlier; right?

24 A. As we've already discussed, yes.

25 Q. So you had looked at several properties and

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1 you -- you intended to move out of that location; correct?

2 A. We sold the property. Best use for the property  
3 was to build a different building on it, so ultimately we  
4 were going to have to move. But again, as I stated before,  
5 we were under no pressure to move from either landlord.  
6 Ultimately something was going to happen and ultimately,  
7 yes, we were going to have to move.

8 Q. Okay. So --

9 A. There's absolutely no relevance whatsoever other  
10 than we moved because CHOP was a complete disaster and we  
11 didn't have protection. We didn't -- our civil rights were  
12 violated by the City, by the police department, by the fire  
13 department, by the mayor, by the governor of Washington  
14 state. You can take it all the way to the president of the  
15 United States if you want.

16 Q. Okay. So in June of 2020 when you looked at the  
17 Shoreline property and you went there, you checked it out,  
18 and you thought that it would be a good fit for Car Tender?

19 A. It was a -- it was the best option that we had so  
20 that we could move posthaste to get the hell out of Capitol  
21 Hill.

22 Q. Okay. Got it. Okay. And you -- and so I think  
23 my initial question was just why you decided not to look at  
24 any other properties in June of 2020.

25 MR. WEAVER: Objection.

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1 A. Again, it was our best option that we had so that  
2 we could get out of there quickly.

3 BY MS. IVERSON:

4 Q. Got it, but -- and just to --

5 A. Daily -- just so you're aware, I get up and go to  
6 work at 7:00 in the morning-ish. Often 6:30. I usually  
7 stay til 6:30, 7:00 before I go home. I don't have a whole  
8 lot of time to spend looking at properties. You know,  
9 whether it's the weekend -- oftentimes I work on Saturdays,  
10 sometimes I even work on Sundays. So I don't have a whole  
11 lot of options of looking at property. So I do the best I  
12 can with the ability I have and the time I have.

13 Q. Yeah, understood. Did you forward the Shoreline  
14 property -- did you forward information about the Shoreline  
15 property to your broker?

16 A. I did not.

17 Q. Okay. Did you contact them after looking at the  
18 Shoreline property?

19 A. I did not.

20 Q. Okay. All right. And then so I understand that  
21 you, you know, wanted to leave your Capitol Hill location,  
22 but I'm just --

23 A. (Inaudible) I didn't want to leave my Capitol  
24 location -- Hill location; I was forced to leave my Capitol  
25 Hill location because it wasn't safe. Wasn't safe for me,

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1 wasn't safe for my customers, wasn't safe for my customers'  
2 cars, it wasn't good for Car Tender, it wasn't good for my  
3 employees. My employees didn't want to come to work. They  
4 felt threatened.

5 Q. Okay. Well, did they -- did they stop coming to  
6 work?

7 A. We had one of our employees was deeply concerned,  
8 and when they gave us the all clear to come back to work,  
9 when she had the option to come back to work was right at  
10 the beginning of the CHOP stuff, whatever it was, May 29th,  
11 she was afraid to come back to work.

12 Q. Okay. Did she come in?

13 A. She did ultimately, but we provided her a parking  
14 spot on our lot so that she could park on our lot and so  
15 that we could escort her to and from the building.

16 Q. Did any other employees request that?

17 A. No.

18 Q. Okay. And she -- sorry, so at that point,  
19 May 29th, your operating hours in Capitol Hill were 8:00 to  
20 5:00?

21 A. Yeah.

22 Q. Okay, got it. And would this employee come in  
23 right at 8:00?

24 A. Usually five minutes before.

25 Q. Okay. And just -- what kind of protest -- so now



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1 Q. And who is "they"? Is that the police?

2 A. I believe it was the Department of  
3 Transportation, being a division of the City of Seattle.

4 Q. Okay, you saw Department of Transportation  
5 workers doing that?

6 A. Yeah, yeah, so -- so the Department of  
7 Transportation -- yeah, I watched them violate my rights as  
8 a human being.

9 Q. How did you know at the time that they were  
10 Department of Transportation workers?

11 A. Because they were all wearing hardhats, vests,  
12 driving Department of Transportation vehicles.

13 Q. Okay. And so you saw DOT workers put up ecology  
14 blocks. And where did they put those up?

15 A. Put them up all over the place.

16 Q. Okay. Well, let's go ahead and --

17 A. Specifically affected me, they put them up at the  
18 corner of 12th and Olive.

19 Q. Okay, the corner of -- so if we could just go  
20 over to Exhibit 125 again.

21 A. The map?

22 Q. The map, yep.

23 A. The corner of my parking lot.

24 Q. Okay. So where was the barrier in relation to  
25 your parking lot?

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1 A. Right at the corner of 12th and Olive.

2 Q. Okay, was it perpendicular to the parking lot, as  
3 in did the barrier stretch across --

4 A. It was -- it was -- they did stretch across 12th  
5 Avenue and they were perpendicular to one edge of the lot  
6 or parallel to one edge as well.

7 Q. Perpendicular to --

8 A. So this is perpendicular.

9 Q. Uh-huh.

10 A. This is parallel. And I think my lot parallels  
11 Olive, one edge of my lot parallels 12th, so it was equally  
12 perpendicular and parallel.

13 Q. Okay. So it was more than one barrier?

14 A. There was multiple barriers, yeah.

15 Q. Do you know how many?

16 A. I believe there was two. There may have been  
17 three.

18 Q. Okay. So one of them was in the intersection  
19 of --

20 A. Yeah, I didn't take pictures of them, so I can't  
21 remember how many.

22 Q. Oh, okay. But you observed them being put up;  
23 right?

24 A. Yep, yep.

25 Q. -- were there every day from that point forward;

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1 right? Okay.

2 A. Yep.

3 Q. And so -- but you just -- you don't know how many  
4 it was?

5 A. I don't.

6 Q. Okay. And so they were -- but there were at  
7 least two?

8 A. I believe it was three, minimum two.

9 Q. Okay. So two to three?

10 A. Yep.

11 Q. Okay. And was one of them in the intersection --  
12 were they in the crosswalk? Where were they placed?

13 A. They were before the crosswalk.

14 Q. Okay, before the crosswalk. And did they stretch  
15 from the west to the east side of the street?

16 A. Yep.

17 Q. On 12th Avenue?

18 A. Yep.

19 Q. Okay, and they stretched from the north to the  
20 south side of the street on Olive?

21 A. They did not on Olive. They did not. They did  
22 not put them on Olive.

23 Q. They were not on Olive, okay. So the barriers  
24 that you're talking about were only on 12th Avenue.

25 A. Yeah.

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1 Q. Okay. And so did the barriers in front of Car  
2 Tender block access to Olive street at all?

3 A. Yes, I mean if -- have you looked at a map where  
4 they placed the barriers?

5 Q. I -- I am asking --

6 A. Do you have access to that?

7 Q. I'm just asking for your description of where the  
8 barriers were placed. If you can't answer it, that's fine,  
9 just let me know.

10 A. I can, it's just -- I mean -- anyways, yes, they  
11 were on 12th Avenue.

12 Q. Okay. They were on 12th Avenue, but they weren't  
13 on Olive Street?

14 A. At my location.

15 Q. Sorry.

16 A. At my location.

17 Q. Olive Street at Car Tender's location, okay. And  
18 so once those barriers were -- once the 12th Avenue barrier  
19 was put up --

20 A. Once the main access to Car Tender was blocked  
21 off, yeah.

22 Q. Uh-huh, so did you change the access point to the  
23 parking lot?

24 A. No.

25 Q. Okay. So how -- how did customers get into --

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1 drive -- sorry, did customers then drive their cars into  
2 Car Tender's parking lot?

3 A. Yes, only way they could get there was from the  
4 north.

5 Q. Okay. So from the north on 12th Avenue?

6 A. Yes.

7 Q. Okay. And then so when that -- at that point, so  
8 June 8th, you watched the barriers get put up; is that  
9 right?

10 A. Yes.

11 Q. Okay. And then did you at any point after that  
12 change your store hours?

13 A. No, we were still there normal hours.

14 Q. Okay, normal hours. So normal at that time  
15 was --

16 A. 8:00 to 5:00.

17 Q. Okay, got it. And then I know -- so you talked  
18 about some customer -- customer impacts. At that point,  
19 June 8th and beyond, did any customers come to your store  
20 in the month of June?

21 MR. WEAVER: Objection, asked and answered.

22 A. After the 8th, yes.

23 BY MS. IVERSON:

24 Q. And what about in July?

25 A. I mean you can see obviously in July customers

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1 A. Whose cars I delivered?

2 Q. Right.

3 A. No.

4 Q. Okay, so how would you go about checking that  
5 information?

6 A. I could go through the customer list, the ledger,  
7 the people that came in during that month, and depending on  
8 who he is, I may remember delivering their car.

9 Q. Okay. And I suppose then by the same token,  
10 there could be people on that list that you don't think did  
11 deliver their car to but you don't remember; is that right?

12 A. Correct.

13 Q. Okay. And then, you know, I know you mentioned  
14 that you had fewer customers coming to Car Tender in June  
15 and July of 2020 than came to Car Tender in March, April,  
16 and May of 2020?

17 MR. WEAVER: Objection.

18 A. I believe that's correct.

19 BY MS. IVERSON:

20 Q. Okay. So in the June time frame, did you ever  
21 get a call from a customer saying, "I need my car fixed,  
22 but I don't want to come to your shop"?

23 A. We had appointments set up. Many people called  
24 and said that yeah, not coming.

25 Q. Okay. So you had appointments booked during June

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1 that people canceled?

2 A. Yes.

3 Q. Okay. And they -- and so how many appointments  
4 were canceled in June?

5 A. Don't have an answer for you on that one. I can  
6 potentially get it, but I would have to go into the  
7 software and look.

8 Q. Okay, so you'd have a record of canceled  
9 appointments?

10 A. I would have appointments that would be on the  
11 record with no document -- it wouldn't necessarily -- we  
12 don't have a function where it shows the appointment was  
13 canceled. I'd have to go through and see if the car had a  
14 repair document generated from the date their appointment  
15 was scheduled.

16 Q. Okay.

17 A. Are you with me?

18 Q. So the repair document be generated regardless  
19 of -- so would a repair document be generated on the day of  
20 a person's appointment?

21 A. If the car was repaired, it would be generated  
22 the day of their appointment.

23 Q. The day of their pickup appointment?

24 A. When they dropped the car off, repaired, there  
25 would be a document generated that's called a repair order.

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1 Q. Okay, so that --

2 A. If I have ten appointments on a day and I go to  
3 that day and none of those appointments line up with the  
4 documents that were generated that day and I can look in  
5 their history and it will basically show me that they did  
6 not show up for their appointment.

7 Q. Okay. So you have a record of all appointments  
8 that were made on a particular day?

9 A. Generally speaking, that's true.

10 Q. And you have that record regardless of whether  
11 the person showed up that day?

12 A. It will be sitting there in an appointment, yes.

13 Q. Okay. So if I book -- if it's -- I just want to  
14 make sure that I understand. So if it's today, whatever  
15 today is -- January 19th -- and I've magically acquired a  
16 car and my car needs service, if I make an appointment for  
17 tomorrow, January 20th, that shows up in your system?

18 A. Yep.

19 Q. As Erica Iverson has an appointment on  
20 January 20th.

21 A. Yep.

22 Q. Okay. And then if I cancel that appointment, do  
23 you still have a record in your system that I made an  
24 appointment for January 20th?

25 A. Yep.



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1 Q. Okay. And so then you would compare the record  
2 of appointments made against these -- I can't remember the  
3 names of the documents --

4 A. Repair order.

5 Q. Repair orders, okay. And you try to reconcile  
6 those?

7 A. I would have to do that, yeah. Have I ever done  
8 that? No.

9 Q. Fair enough. Is it possible that a repair  
10 order -- that someone could have an appointment on one day  
11 but the repair order could be generated on the next day?

12 A. It's certainly possible.

13 Q. So there wouldn't be a way to account for that in  
14 your system of figuring out canceled appointments?

15 A. Well, there would be based on the fact that -- i  
16 mean you're not going to have somebody make an appointment  
17 for one day and they may show up the next day, which is  
18 perfectly fine, but it's not really -- it doesn't really  
19 come into play.

20 Q. But -- I'm sorry, so --

21 A. I can look at their history and see all the days  
22 that they've had their cars repaired and if they had an  
23 appointment for, you know, say a Thursday and showed up on  
24 a Friday. I mean that's one appointment. That's not a  
25 common thing. That would be very infrequent.

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1 Q. So is the repair order generated at the -- when  
2 the vehicle is dropped off or when --

3 A. At write-up.

4 Q. It is generated when the vehicle is dropped off?

5 A. Yes.

6 Q. Okay, got it. Okay. That makes sense. I  
7 thought you said earlier it was generated at pickup. So --  
8 okay. All right.

9 So that's how you would go about figuring out  
10 cancellations if you were to do that, which I understand  
11 you haven't done, and so do you -- do you recall anyone  
12 calling you up and saying, "I'm going to cancel my  
13 appointment"?

14 A. Sure, but I don't recall who it was and what day  
15 it was.

16 Q. Okay, but you recall that happening --

17 A. It happened many times.

18 Q. -- in June 2020?

19 A. In June, July. Some people didn't realize what  
20 was going on until, you know, different -- different things  
21 happened.

22 Q. Okay. So -- but you think that happened -- I  
23 don't know -- a dozen times?

24 A. More than that, but I don't have a number for  
25 you.

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1 Q. A couple dozen?

2 A. Probably more than that.

3 Q. Okay, of people calling the store and saying,  
4 "I'm not going to come in for my appointment today"?

5 A. Correct.

6 Q. And did all of those dozens of people give a  
7 reason for why they weren't coming in?

8 A. The only reasons I was ever given was because of,  
9 you know, fear of coming to the city because of the CHOP  
10 thing, and they were concerned for their safety as well as  
11 the safety of their vehicle.

12 Q. Okay. And that happened dozens of times?

13 A. I'm not trying to put a number on it. It  
14 happened a lot.

15 Q. Okay. Well, I'm just trying to -- you know, "a  
16 lot" could be many different --

17 A. Yeah, I work on 177 cars in a month. Cut it in  
18 half; right? So what's half of 177?

19 Q. Okay, and that's just -- but half of 177 --  
20 that's the number of cars that you worked on in the month  
21 of June, let's say?

22 A. Again, I don't know what the exact numbers are,  
23 but I know that they were down. I would have to look and  
24 see. If you want the numbers, I can get them for you.

25 Q. Okay, but I guess I'm --

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1           A.    I don't want to play with the numbers game, I  
2   don't want to play games with the numbers, I don't want to  
3   make fictitious numbers up; I'm just trying to tell you the  
4   truth of what the matter is.   You're asking me to put a  
5   number on something that I have no idea what the number is,  
6   and if I give you a number and it's not the right number,  
7   then all of a sudden I'm trying to hide something, and  
8   that's not the case.   It's just -- it is what it is and the  
9   numbers are what the numbers are, and if you want the  
10   numbers, I'll get them for you; but I'm not going to sit  
11   here and try and guess what the numbers are.

12          Q.    I'm not trying to have you guess, I'm not trying  
13   to play games, I'm trying to understand just what you  
14   remember of your interactions with your customers who are,  
15   you know, like family to you.   So I just want to make sure  
16   that I understand --

17          A.    All I know is that they didn't want to come  
18   because they didn't feel and they didn't feel that their  
19   car would be safe --

20          Q.    Okay, and I --

21          A.    -- and I don't know what the numbers are.

22          Q.    Fair enough.   So you know that they didn't come  
23   in because they didn't feel safe, so I just want to  
24   understand how you obtained that knowledge.

25          A.    By them calling me on the phone and telling me

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1 that they're not coming.

2 Q. Okay. And so every person who did -- withdrawn.

3 Okay. So you think or your dozens of customers  
4 in the month of June called you and said they weren't  
5 coming for car repairs because of CHOP?

6 A. And it probably happened in July as well.

7 Q. Okay, but it happened in June. That's --

8 A. And in July.

9 Q. Okay. So dozens of people called and canceled  
10 their appointments in June --

11 A. You're putting "dozens" on the number. I'm  
12 saying that many people. I'm not trying to put a number on  
13 it.

14 Q. Okay.

15 A. Dozens equates to, you know, dozens, and I don't  
16 know what the number is. I'm just telling you --

17 Q. Okay. I'm not asking for a number; I'm just  
18 trying to get a sense for what "a lot" or what "many" means  
19 to you in this context; right? So if it's not dozens,  
20 that's fine. If it's -- is it fewer than dozens? Is it  
21 10?

22 A. I don't know --

23 MR. WEAVER: Objection. I think he's really  
24 trying to answer your questions as accurately as he can,  
25 Erica. I don't know what else he has to say.

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1 MS. IVERSON: I mean, you know, I think that --

2 A. Like I stated, if you want me to get you the  
3 numbers, I'll get you the numbers. I just don't know, and  
4 I'm not guessing.

5 Q. Well, the numbers -- I just want to make sure  
6 that we're on the same page because maybe --

7 A. We're on the same page.

8 Q. Well, so but I think the numbers you're talking  
9 about, when you say "I can get you the numbers," you mean  
10 the number of customers who walked through the door in June  
11 2020?

12 A. Okay. If you take a typical month and say it's  
13 177 people, you take the number of people that walked  
14 through the door in June, that's going to give you an idea.  
15 Obviously it's going to be jaded by the whole CHOP thing,  
16 and so what that actual number is I don't know.

17 Q. Right. But so -- so I understand that. I'm not  
18 asking you for the actual number of customers who came and  
19 dropped off cars during CHOP. That's not what I'm asking  
20 about.

21 A. Okay.

22 Q. Okay? So we were talking about customers who had  
23 appointments to drop off their cars at Car Tender in June.

24 A. Correct.

25 Q. Okay. So I'm asking, of those people -- sorry.

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1 We'll add another step in there. We talked about people  
2 who had appointments in June. Then I asked if people  
3 canceled those appointments in June.

4 A. And I answered yes, they did.

5 Q. You answered yes, they did, and I understand that  
6 that there's no record of the cancellations. That's fine.  
7 I'm just trying to get a ballpark from you if you -- you  
8 know, from you being at the business there, do you recall  
9 around how many people canceled their appointments in June?

10 A. I do not.

11 MR. WEAVER: Objection.

12 BY MS. IVERSON:

13 Q. Okay. And -- you don't. And so setting aside  
14 the number, would you say -- withdrawn.

15 So then the people who canceled their  
16 appointments in June -- some of them called you and told  
17 you they were cancelling their appointments.

18 A. Correct.

19 Q. Okay. And you don't know -- and of those people  
20 who called you and told you they were canceling their  
21 appointments, some of them gave you a reason for why they  
22 were doing that; right?

23 A. Most customers gave us a reason for it and the  
24 reason being they didn't feel safe, they didn't feel that  
25 their vehicle was safe.

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1 Q. Okay. And so we're talking about most of the  
2 people who called you to cancel appointments in June.

3 A. Correct.

4 Q. And so most -- is that more than half of the  
5 people who canceled --

6 A. I'd say 99.999 percent of the people that called  
7 and canceled was because they didn't feel that their car  
8 was safe or that they were safe.

9 Q. Okay. And we don't -- and you don't know how  
10 many people called and canceled at all. So we don't know  
11 99.9 percent of what; right?

12 A. Correct.

13 Q. So it could be four?

14 MR. WEAVER: Objection.

15 A. It couldn't be four.

16 BY MS. IVERSON:

17 Q. Why not?

18 A. It would have to be a larger number than that.

19 A. Okay. So you have some sense of the number of  
20 people we're talking about.

21 A. You're asking me about dozens and you're asking  
22 me about four. I know that I have more than four customers  
23 that did it. If my memory was fresh, I could probably name  
24 their names right this moment, but that wouldn't be fair to  
25 them.



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1 Q. Okay. What about at any point in the month of  
2 June?

3 MR. WEAVER: Objection.

4 A. No. We were still trying to function as a  
5 business.

6 BY MS. IVERSON:

7 Q. Okay. And same for July?

8 A. Yep, August, September, October.

9 Q. Okay. And so your hours stayed the same in June,  
10 July, and August 2020?

11 A. Yep.

12 Q. And then so when you had customers calling and --  
13 to cancel their appointments, what did you do, if anything,  
14 to try to increase sales during that time?

15 MR. WEAVER: Objection.

16 A. Well, at that point we were trying to, you know,  
17 do damage control. It's pretty difficult to come up with a  
18 marketing campaign, "Come to CHOP, your car might get  
19 broken into or you might be harmed on your way into Car  
20 Tender." It's not going to really make people want to come  
21 and get their car repaired at Car Tender. So I'm not  
22 really sure how you would market that.

23 Or actually, I suppose we could have said, you  
24 know, Come see the summer of love where people get killed  
25 and people get shot and there's people with -- walking

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1 around open carrying AK-47s and maybe you'll get shot,  
2 maybe you won't.

3 BY MS. IVERSON:

4 Q. So what kind of damage control did you do?

5 MR. WEAVER: Objection.

6 A. Damage control -- we did hire a security firm to  
7 come and protect our property and the customers' cars and  
8 to protect our building and keep it from getting burned  
9 down after it had already been attempted to get burned  
10 down.

11 Q. And what date did you hire the security firm?

12 A. Well, first night that they showed up was the  
13 morning of the 15th.

14 Q. Okay. And you said "they showed up." Did you  
15 ask them to come?

16 A. That particular morning I did not. They happened  
17 to be one of my customers, and he saw all the shit going  
18 down on the worldwide web and on all the live video feeds  
19 all over the world, and he drove over to see if there was  
20 anything he could do to help.

21 Q. He drove over the morning of the 15th?

22 A. Yeah, about 1:00 or 2:00 in the morning,  
23 something like that.

24 Q. Okay. And he -- so he asked you if he could do  
25 anything to help you out?

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1 Q. Okay. So but I'm just asking about your outreach  
2 to the City.

3 A. I'm telling you my outreach would fall on deaf  
4 ears because they had no intent to do anything to protect  
5 the citizens of Seattle or to uphold the Constitution of  
6 the City of Seattle or the state of Washington or the  
7 United States of America.

8 Q. Okay. So did you reach out to them?

9 A. I may have, but I do not recall.

10 Q. You don't recall if you reached out to them,  
11 okay. So do you -- did -- do you recall ever -- withdrawn.

12 Did you ever have any meetings -- attend any  
13 meetings where City officials were present?

14 MR. WEAVER: Objection.

15 A. I had the fire department show up at my place of  
16 business after, you know, I put the fire out myself the  
17 following day about --

18 BY MS. IVERSON:

19 Q. Is that a meeting though?

20 A. I don't know if I'd call it a meeting.

21 Q. All right, you called 911; right?

22 A. I called 911 a bunch of times, but they never  
23 showed up.

24 Q. Okay, so you're saying the fire department --

25 A. Showed up the following day --

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1 Q. Following day, okay.

2 A. -- to let me know how sorry they were that they  
3 didn't show up to put the fire out.

4 Q. Okay. So other than meetings about the June 14th  
5 incident, did you attend any other meetings where city  
6 officials were present?

7 A. I did not.

8 Q. Okay. Any meetings --

9 A. I had the police department show up a couple days  
10 after it happened and, you know, get the details of what  
11 happened, but, you know, that's two days late and \$5 short.

12 Q. Okay. So just -- yeah, just setting aside the  
13 June 14th incident, so you said you don't remember if you  
14 ever reached out to the City. Do you have a Twitter  
15 account?

16 A. I do have a Twitter account.

17 Q. Would you tweet at any City officials?

18 A. I'm not a tweeter.

19 Q. Okay, me neither. A stealth reviewer of tweets?

20 A. Right.

21 Q. Okay. Any other social media accounts?

22 A. I have Facebook and Instagram, but I didn't use  
23 that for any of that either.

24 Q. Okay, so you didn't post on Facebook about CHOP?

25 A. No. I mean I had friends and stuff that would

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1 A. Yeah.

2 Q. And so who did you see removing them?

3 A. SDOT.

4 Q. SDOT, okay. And so I just want to talk a bit  
5 about the night of June 14th. I know we've been referring  
6 to the incident that night. So if you could just go ahead  
7 and kind of describe (inaudible) of the night.

8 So at some point did you receive a phone call  
9 about a break-in at Car Tender?

10 A. I did.

11 Q. Okay. And who called you and told you about  
12 that?

13 A. My business partner.

14 Q. And is that Mr. Kimble?

15 A. Yep.

16 Q. Okay. And did he tell you how he knew about the  
17 break-in?

18 A. Yes, he did.

19 Q. Okay. And what did he say?

20 A. He said one of the neighbors called and said  
21 somebody had hopped the fence, had a hammer in his hand,  
22 and was moving about the cars in the parking lot.

23 Q. And was this in the evening of June 14th?

24 A. Yes.

25 Q. Would you say was it dark at that point?

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1 A. No.

2 Q. No. It was still light out when he called you?

3 A. It was -- I don't know the exact time frame. It  
4 was probably in the 6:00 or 7:00 hour, so it was --

5 Q. Got it, okay. And then what did you do after  
6 he -- right after he called you and told you about this?

7 A. I'm sorry?

8 Q. What did you do right after he called you and  
9 told you about the incident?

10 A. In the process of him telling me, I grabbed my  
11 guns and put them in the car and my son drove me down  
12 there.

13 Q. Okay. And so you were at home when he called  
14 you?

15 A. Yep. I'd just literally walked in the door.

16 Q. Oh, you walked in the door of your house?

17 A. Yep.

18 Q. Okay. Had you been at Car Tender earlier that  
19 day?

20 A. No.

21 Q. Okay.

22 A. It was the day after my wedding anniversary, and  
23 we'd just gotten home. Great anniversary gift, huh?

24 Q. So then -- so you'd just gotten home on Sunday  
25 night and you got this call, and while you were on the

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1 phone, is that when you decided to go down to Car Tender?

2 A. Well, he told me somebody was breaking into my  
3 business and that he was not in town and that we needed to  
4 deal with it, so obviously who's going to go? I've got the  
5 key.

6 Q. Okay. Did you consider calling the police while  
7 you were at home and asking if --

8 A. I did call the police when I was at home and I  
9 told them that I was on my way there and I told them that  
10 there was a break-in in process and I told them that I was  
11 armed.

12 Q. Okay, so when you called the police -- and just  
13 to clarify, you called 911; right?

14 A. Yes.

15 Q. Okay. And you dialed 911 while you were still at  
16 home?

17 A. Yes.

18 Q. Okay. So did you -- so had you -- before you  
19 called 911, had you already decided that you were going to  
20 go down to Car Tender yourself?

21 A. I think I stated that I grabbed my guns, yes.

22 Q. Okay. So did you consider calling 911 and asking  
23 them to go check it out?

24 MR. WEAVER: Objection.

25 A. Okay, you're gonna have to work with me a little

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1 bit here. You already know I called 911 and asked them to  
2 go and they did not respond.

3 BY MS. IVERSON:

4 Q. Well, I knew you called 911, but what I'm asking  
5 is whether --

6 A. I called 91 and asked them to respond. It was 16  
7 miles away from my place of business.

8 Q. Okay --

9 A. So yes, I called 91 and asked them to respond.  
10 And they asked me if I was going there, and they asked me  
11 if I was armed and I said, yes, I'm armed, and they asked  
12 me how tall I am and how much I weigh and what I was armed  
13 with and they asked me if I had body armor, and I said yes.

14 Q. Okay, and while they were asking you these  
15 things, so, you know, were you --

16 A. They alluded to the fact that they were going to  
17 show up every time I called them until finally at the very  
18 end after calling them probably the 35th time, I asked  
19 them, "Are you guys even going to show up?" And the 911  
20 operator said, "No, we're not going to show up, you're on  
21 your own."

22 Q. Okay, so did you leave your house while you were  
23 on the phone with them?

24 A. I did.

25 Q. And how many minutes into the conversation would



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1 you say it took before you left your house?

2 A. I have no idea. From the time I got the call to  
3 the time I got to Car Tender was roughly 16 minutes.

4 Q. Okay. So did you -- sorry, so by the time you  
5 got the call from Russell --

6 A. Yep.

7 Q. -- to the time you got the call from Car  
8 Tender -- or sorry, the time you arrived at Car Tender was  
9 approximately 16 minutes?

10 A. Yep.

11 Q. Okay, and how long does it normally take you to  
12 get from home to Car Tender?

13 A. It depends on what the traffic's like.

14 Q. Well, what was the traffic like that night?

15 A. I don't recall exactly. There was cars on the  
16 road, but I don't know. I know we passed a couple of state  
17 patrols along the way and blah, blah, blah.

18 Q. It was not a heavily trafficked night?

19 A. No.

20 Q. Okay. So on a typical night when there's not a  
21 lot of traffic, how long does it take you to get from your  
22 home to Car Tender?

23 A. I don't know exactly. It might be 16, 17  
24 minutes.

25 Q. Okay. So were you at -- was this sort of a you

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1 dial up 911 as you're rushing out the door type of  
2 situation?

3 A. Yes.

4 Q. Okay. So I guess what I'm trying to understand  
5 is did you ever consider calling 911 from home and waiting  
6 to see what they said before you went down there.

7 A. No.

8 Q. Okay. So you get the call from Russell, you grab  
9 your guns, and how many guns did you bring?

10 A. A few.

11 Q. A few. Two? Three?

12 A. I don't know what the exact number was.

13 Q. Okay. And why did you decide to bring your guns  
14 with you?

15 A. Protection.

16 Q. Protection from what?

17 A. I didn't know what I was going to find when I got  
18 there.

19 Q. Okay. So did Russell -- so Russell just called  
20 you and said they're breaking in?

21 A. Yep.

22 Q. And did he say it was one person?

23 A. He didn't -- he did not tell me how many people  
24 it was.

25 Q. He didn't tell you how many people it was, so he

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1 just said, "There's a break-in"?

2 A. Yep.

3 Q. Okay. Did you ask him, "How many people is it?"

4 A. Erica, I did not not.

5 Q. Okay. Did you ask him anything else about what  
6 he saw going on there so you could be prepared?

7 A. He could see and the other guy could not see  
8 other than that there was somebody rumbling around in the  
9 parking lot with a hammer.

10 Q. Oh, got it, okay. So there was somebody, one  
11 person roaming around the parking lot with a hammer?

12 A. I didn't know if it was one person or multiple  
13 people.

14 Q. Okay, so but he said there's somebody in the  
15 parking lot with a hammer?

16 A. Yep.

17 Q. Okay. And so you learned that there was someone  
18 in the parking lot with a hammer, and you -- so you decided  
19 to bring your three guns with you or however many guns?

20 A. Yep.

21 Q. Okay, got it. And so were you just trying to  
22 protect yourself against the person breaking in?

23 A. That was the only thing that I knew was going on  
24 at the moment.

25 Q. Okay. Were you aware of any employees at Car

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1 Tender on that day?

2 A. I know that there were none in there on that day,  
3 yeah.

4 Q. Okay. And I -- so this is June 14th; it's about  
5 halfway through the month of June; right?

6 A. Well, it depends on how many days are in the  
7 month if it's halfway or not.

8 Q. About.

9 A. Sure.

10 Q. Okay. And so I think you were talking earlier  
11 about how you've lost a lot of customers in the month of  
12 June; is that right?

13 A. Yeah.

14 Q. Okay. So did you have a lot of customer cars on  
15 the Car Tender lot that night in June?

16 A. I don't know what the number is, but I'm sure  
17 that there were many out there.

18 Q. There were many out there, and were they out in  
19 the parking lot?

20 A. Yep.

21 Q. Okay. Any in the nine bays?

22 A. Yes.

23 Q. Were the bays full?

24 A. They were probably double stacked.

25 Q. Okay. So there -- each of the nine bays -- oh, I

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1 think you said only eight of the nine bays can double  
2 stack; is that right?

3 A. Correct.

4 Q. Okay. Those were full, and then the ninth bay  
5 also had a car?

6 A. Yeah.

7 Q. Okay, so about 17 cars parked in the bays?

8 A. Probably.

9 Q. Okay. And then more customer cars in the parking  
10 lot; right?

11 A. Yep.

12 Q. Okay. So would you say it was -- there were --  
13 was it a pretty full --

14 A. The parking lot holds approximately 65 cars.

15 Q. Okay. And about how full was it?

16 A. To be honest, I don't know how full it was on  
17 that particular day --

18 Q. Okay.

19 A. -- because it was a weekend, they usually come in  
20 on Monday and they usually try to -- you know, usually are  
21 gone by Friday. So it might be 20, might be 25 outside,  
22 the rest inside.

23 Q. Maybe less than half, but in that range of the --

24 A. Give or take 20, 25.

25 Q. Okay. And so I think you said people normally

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1 come by on Monday, so would these have been cars --

2 A. Cars that were in process.

3 Q. That were in process, okay. All right. Okay.

4 And then let's see, so -- okay, so -- and the person that

5 Russell told you about -- he said that person was roaming

6 around in the parking lot?

7 A. Correct.

8 Q. Okay. Did he tell you that he'd seen the person

9 break through the fence?

10 A. So Russell wasn't at the place of business;

11 Russell was listening to a tip that was called in by a

12 customer. Customer called Russel and told him because he

13 had a relationship with Russell and said, "Hey, there's

14 somebody in the parking lot." Russell called me. After we

15 hung up, I called 911, didn't really discuss what was going

16 on. The main -- most important thing was to try and get to

17 Car Tender, prevent any damage from happening to any

18 people's cars or the building, which is typically what the

19 police department's supposed to do --

20 Q. Okay.

21 A. -- but when you dial 911 and they don't show up,

22 I guess they're not going to offer you any protection.

23 Q. Okay. So were -- you got the call from Russell

24 and you decided to leave your home to protect the customer

25 cars and the building?

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1 A. Correct.

2 Q. Okay. So at that -- at the time -- so when  
3 Russell told you this news, what -- withdrawn.

4 So when you called 911, did you have any  
5 expectations about how they would respond?

6 MR. WEAVER: Objection.

7 A. I expected fully when I called 911 that they  
8 would be there before I got there.

9 BY MS. IVERSON:

10 Q. Okay. And that was your expectation before you  
11 called 911?

12 A. Okay, my expectation is if you dial 911 and you  
13 tell them that your house is on fire or your buildings's on  
14 fire, that they're going to show up and put the fire out.  
15 My expectation is if I dial 911 and I've got an emergency,  
16 my expectation is that they're going to show up because  
17 traditionally that is how police departments and that's how  
18 fire departments acted. And if you are a citizen of a city  
19 that you pay taxes, tens of thousands of dollars of taxes  
20 to, I would fully expect them to honor what they're  
21 supposed to do. And they didn't.

22 Q. Okay, so before you left your house, you expected  
23 911 to show up at Car Tender?

24 A. When I call 911, I expect them to show up.

25 Q. Right, but so when you called 911 that night, you

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1 expected them to show up at Car Tender that night.

2 A. Once they got the call that I had a problem at my  
3 place of business, yes, I would expect the police  
4 department to show up.

5 Q. And -- but did you expect them to show up that  
6 night? That's all I'm asking.

7 A. What? Did you not hear the answer to my  
8 question? If you dial 911, you expect the person on the  
9 other end of the phone to get the police and get them to  
10 wherever the emergency is.

11 Q. Yep, so that's --

12 A. That is what any person in the United States of  
13 America would expect to have happen.

14 Q. Okay. So is it what you expected to happen that  
15 night when you called.

16 A. Yes.

17 Q. Yes, okay. So then you expected them to show up  
18 at Car Tender, but you went and -- went --

19 A. I expected them to beat me there. That is why I  
20 called them and told them and answered all the questions  
21 that they had asked of me -- because if I was a police  
22 officer and I was responding to a call and I knew that  
23 somebody was coming and that they were armed and had body  
24 armor, I'd want to know what they looked like, I would want  
25 to know how big they are and I would want to know what kind



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1 of guns they had and I would want to know when they  
2 expected to be there; and I gave them all that information  
3 on the 911 call. And you probably have it in some sort of  
4 a document.

5 Q. Okay, so right, so you were giving them the  
6 information that they were asking you on the 911 call about  
7 you and your appearance, et cetera --

8 A. Yep, what I was driving, et cetera.

9 Q. Yes, okay. So then -- but you expected them to  
10 beat you there; right? That was --

11 A. My expectation was that if they didn't beat me  
12 there or meet me there, that they would show up.

13 Q. Okay, that they would show up. Okay. And then  
14 so it took you about 16 -- or and sorry, let me just  
15 withdraw.

16 I just want to make sure, you never had a  
17 break-in at Car Tender before that night; right?

18 A. Prior to that, the building had not been broken  
19 into while I had owned it.

20 Q. While you had owned it, okay. Were you aware of  
21 break-ins prior to your --

22 A. On the night of the Rodney King riots, there was  
23 a break-in into Car Tender, but that was before it was  
24 under my possession.

25 Q. Okay, got it. So --

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1 A. Imagine that, the protesters broke into the  
2 building.

3 Q. Okay. So then do you remember on that first 911  
4 call if they said they were going to beat you there?

5 A. That was what was implied.

6 Q. It was implied, okay, but they didn't say we'll  
7 be right there or --

8 A. She implied that they would meet us there.

9 Q. Okay, so -- okay, so you thought they were going  
10 to meet you there.

11 A. I fully expected that they were going to beat me  
12 there.

13 Q. Got it, yeah, okay. And then so you arrived, and  
14 what happened when you arrived?

15 A. Unlocked the gate, drove the car in the gate,  
16 closed the gate, opened the front door, and realized that  
17 they had broken into the -- unlocked the front door,  
18 realized they had broken into the windows through the other  
19 door, went in through that door, and started clearing the  
20 building and went back into the front door and found that  
21 the service writeup counter was on fire; so I ended up  
22 putting the fire out and threw the things that they'd put  
23 on there that were on fire out into the parking lot and  
24 made sure the fire was out and then went and found my son,  
25 who was being assaulted by the guy that broke in.

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1 Q. Okay. So I just want to break that down a little  
2 bit. So you -- after you unlocked the parking gate, you  
3 saw -- or you went to the front door?

4 A. Yep, unlocked it.

5 Q. And unlocked it, and did you go in?

6 A. I did not go in through the front door. At that  
7 point we saw that the other door was open, so we went in  
8 that door.

9 Q. Okay. But could you see the service counter from  
10 the front door when --

11 A. I didn't open it. All I did was unlock it.

12 Q. Okay, so you -- I see, you unlocked it only,  
13 didn't open it. Got it. Did you smell smoke?

14 A. I didn't.

15 Q. Okay. And then you said you went to the other  
16 door. Where on the property is the other door?

17 A. It's on the south of the L.

18 Q. The south of the L, okay. And so then once you  
19 did that, you went from the other door, the south of the L  
20 door back to the service counter?

21 A. Once -- once we got the guy detained -- I don't  
22 remember exactly how it all went down -- whether I put the  
23 fire out before we detained the guy or what.

24 Q. Okay. Did you see him light the fire?

25 A. No.

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1 Q. Okay. And about -- I mean how big was the fire?

2 A. He spread alcohol-based hand sanitizer on the  
3 counter and lit it on fire, so the flames hadn't quite  
4 reached the top of the window, so he had to have just --  
5 literally just lit the fire. So, you know, it was -- call  
6 it a minute or two away from, you know, being beyond, you  
7 know, control.

8 Q. Okay, it was on the service desk?

9 A. Yep.

10 Q. Okay, and had it spread anywhere beyond the  
11 service desk?

12 A. Hadn't.

13 Q. Okay. And so -- okay, so you put the fire out --

14 A. Right.

15 Q. -- and then how did -- then did you hear the  
16 suspect?

17 A. I heard the commotion between my son and the  
18 suspect, yeah.

19 Q. Okay. And so what happened when you got to the  
20 area where your son and the suspect were?

21 A. He was trying to stab and cut my son, and he  
22 wrestled him to the ground, I drug him out of the building  
23 in front of a Jeep so they were still covered -- because  
24 they were -- a group of people had appeared at the fence,  
25 and I don't know if they were part of the break-in or not,

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1 and -- yeah.

2 Q. Okay. So you and your son had to wrestle the  
3 suspect to the ground?

4 A. My son wrestled him to the ground; I drug the  
5 both of them out through the door.

6 Q. Oh, you dragged them from the --

7 A. Inside the building out.

8 Q. Oh, okay, into the parking lot, got it. And --

9 A. -- in the parking lot, but right at the front by  
10 the door. There's kind of a little cubby hole.

11 Q. Got it. And I mean I know it's -- these things  
12 are -- you know, happen really fast, but do you have any  
13 sense of just how long the interaction was?

14 A. No. It was long enough that he cut him from his  
15 groin down to his knee.

16 Q. Oh, did he make skin contact?

17 A. He did, but fortunately he was wearing multilayer  
18 cards and then he was trying to stab him with a spike.

19 Q. Oh, a spike -- was that something he picked up in  
20 the garage?

21 A. In the building, yep.

22 Q. Okay --

23 A. It was the our -- the stack -- the spike that we  
24 put receipts on.

25 Q. Yeah. The -- oh, okay. So -- and that would

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1 have been -- so that was on the service desk normally?

2 A. Yep.

3 Q. Got it, okay. And so -- so the knife that the  
4 guy -- the suspect used -- what kind of knife was it?

5 A. It's a box knife.

6 Q. Box knife, okay. And he tore your son's clothes?

7 A. Cut him.

8 Q. Cut him, okay. Did your son have any like  
9 physical cuts from that?

10 A. He had a surface cut in his leg from his groin to  
11 his knee.

12 Q. Okay, and the surface cut was all the way from  
13 the groin to the knee?

14 A. Yep.

15 Q. Was it bleeding?

16 A. Oh, it bled a little bit, but it wasn't like --  
17 the guy's goal was to try and get his femoral artery.

18 Q. Okay. So the cut was not bleeding?

19 A. It was like -- imagine if you scraped yourself  
20 with the tip of a razor blade on the surface of your skin.

21 Q. Okay. And then so you're -- you're able to  
22 wrestle the guy to the ground, and then you said you  
23 dragged them out. How did you do that? You grabbed the  
24 suspect?

25 A. I grabbed his feet, yeah.

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1 Q. Okay, and was he hanging onto your son?

2 A. Yes.

3 Q. So you were able --

4 A. Dragged them both out the door.

5 Q. Got it. And then were you able to -- were you  
6 able to apprehend the suspect?

7 A. We detained them while we were waiting for the  
8 police to show up.

9 Q. Okay. So you were able to -- you were able to  
10 detain him in the parking lot?

11 A. Yep.

12 Q. Okay. Did you ever bring him back into the  
13 building, or did you stay in the parking lot?

14 A. No.

15 Q. And all of this lasted five, six, ten minutes?

16 A. Don't know the time frame.

17 Q. Okay. And you -- so were you on the phone with  
18 911 the whole time?

19 A. Once we detained him, I went inside and called  
20 multiple different times.

21 Q. Okay. So did you hang up with 911 before you  
22 arrived at Car Tender?

23 A. Yeah.

24 Q. Okay. And then did you call 911 again before  
25 detaining the suspect?

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1 A. I called 911 when the building was on fire.

2 Q. Okay. So when you saw the -- that was the fire  
3 on the service counter, you called 911 again?

4 A. Yep.

5 Q. Okay. And then you apprehend the suspect and  
6 then you called 911 again?

7 A. Yep, told them I got the fire out and the police  
8 still hadn't showed up and why the fuck they hadn't showed  
9 up.

10 Q. Okay. So you asked them why the police didn't  
11 show up. Did they give you an answer?

12 A. No, they just kept alluding that they were going  
13 to show up. And I told them that I had the suspect  
14 detained.

15 Q. Okay. Do you --

16 A. Would have been nice if they would have just  
17 said, well, you know, we're not coming, so you might as  
18 well let the guy go because protesters are going to show up  
19 and break your fence down and, you know, point guns at you  
20 and all kinds of fun stuff like that.

21 Q. Did you ask them what they wanted you to do with  
22 the guy?

23 A. I told them I had him detained. I didn't ask  
24 them what they wanted me to do with him. I told them I was  
25 waiting for them to arrive.



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1 Q. Okay. And then how -- I think, you know, you  
2 mentioned it took 16 minutes to drive there, unknown number  
3 of minutes for this interaction. Do you have a sense of  
4 timing from the point when you first called 911 to the  
5 point when you had apprehended the suspect and  
6 called again?

7 A. I don't.

8 Q. Would it have been like an hour?

9 A. It was too long.

10 Q. Okay. Over an hour?

11 A. Well, if I called 911 and I drove for 16 minutes  
12 and I got to Car Tender, get in a scuffle with the guy,  
13 apprehend him, pin him to the ground, I go in and call 911  
14 again, you know, what are we talking here? Half an hour's  
15 period of time? I don't know. I didn't record the amount  
16 of time -- the amount of times that I called 911; all I  
17 know is it took way too long and that they didn't show up  
18 and that they didn't provide me with the services that they  
19 were contracted to provide to me as a citizen of the United  
20 States, the City of Seattle, the State of Washington.

21 Q. Okay. So did they -- they did not show up at all  
22 that night?

23 A. Still they did not show up at all that night.

24 Q. Okay. And then so I'm -- so I know you were  
25 there all night and you didn't leave until late the next

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1 day; right?

2 A. The next night, yes.

3 Q. The next night, okay. So what happened with the  
4 suspect after you were able to detain him?

5 A. The protesters said that if they -- if I didn't  
6 let him go, they were going to kill me. And I told them  
7 okay, we're going to let him go. So as soon as I turned  
8 the dude loose, then they blew the fence down and I had  
9 whole number of jackasses pointing guns at me, et cetera.

10 Q. Okay. And I know you had your guns with you.  
11 Did you -- did you point any of your guns at the suspect at  
12 any point?

13 A. No.

14 Q. Okay, any --

15 A. Well, at any of the suspects that broke down the  
16 fence, et cetera? No.

17 Q. No. What about the guy that you detained --

18 A. I did have my gun pointed at him, yeah.

19 Q. Okay. And that was while you were detaining him?

20 A. Only at the very beginning part of it.

21 Q. Okay.

22 A. Not while he was, you know, on the ground  
23 subdued.

24 Q. I think you said other protesters came in. Was  
25 it a pretty large group?

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1 A. Depending on who you talk to, you hear all kinds  
2 of crazy different numbers. My estimate was probably 500  
3 to a thousand, but you listen to the City of Seattle's  
4 numbers, they'll probably tell you it was three or four.  
5 If you look at any of the videos, you can see clearly there  
6 was a ton of people there.

7 Q. Okay. And while that group of protesters was  
8 around you, were you still on the phone with 911?

9 A. No, I was trying to protect myself.

10 Q. Okay. All right. So -- yeah, I mean obviously  
11 it sounds like a extremely harrowing experience for you,  
12 and, you know, I'm just wondering in the aftermath of  
13 that -- so, you know, the next day -- did you talk to the  
14 other business owners in the area about what had happened?

15 A. Many of them came to talk to me, yeah.

16 Q. Okay. Oh, so they approached you?

17 A. Yeah.

18 Q. Okay. And did they --

19 A. Everybody in the city saw all the bullshit that  
20 went down on the videos.

21 Q. Okay. So the people who approached you saw  
22 videos of what had happened?

23 A. Yeah.

24 Q. Okay. And did -- and they told you that?

25 A. Yeah.

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REPORTER'S CERTIFICATE

I, Mindy L. Suurs, the undersigned Certified Court Reporter, pursuant to RCW 5.28.010, authorized to administer oaths and affirmations in and for the State of Washington, do hereby certify:

That the foregoing testimony of JOHN MCDERMOTT was given before me at the time and place stated therein and thereafter was transcribed under my direction;

That the sworn testimony and/or proceedings were by me stenographically recorded and transcribed under my supervision, to the best of my ability;

That the foregoing transcript contains a full, true, and accurate record of all the sworn testimony and/or proceedings given and occurring at the time and place stated in the transcript;

That the witness, before examination, was by me duly sworn to testify the truth, the whole truth, and nothing but the truth;

That I am not a relative, employee, attorney, or counsel of any party to this action or relative or employee of any such attorney or counsel and that I am not financially interested in the said action or the outcome thereof;

DATE: January 25, 2022

*Mindy L. Suurs*

Mindy L. Suurs  
Certified Court Reporter #2195

